

BILL NO. G-74-05- /5

GENERAL ORDINANCE NO. G- 12-74

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of a
portion of Nevada Avenue in the City of
Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

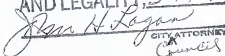
SECTION 1. Petition for the vacation of a portion of Nevada Avenue hav-
ing been filed with the Fort Wayne City Plan Commission, and resolution having been
duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a
public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts
of the General Assembly of the State of Indiana, as amended by Section 3, Chapter
385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind.
Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in
General Ordinance No. G-97 adopted by the Common Council of the City of Fort
Wayne on November 26, 1963, is amended by deleting the following portion of Nevada
Avenue in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between
Lots # 75 and # 76 of Delta Heights Addition,
running 140 feet east from the east Right-of-Way
of Inwood Drive

SECTION 2. After passage of this Ordinance, approval by the Mayor
and legal publication, a duly certified copy of this Ordinance, of the recommendation
of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be
transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne,
Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY 5-14-74

CITY ATTORNEY
Council

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 5-14-74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 5-28-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. B-12-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman CITY CLERK
Samuel J. Talarico PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P M., E.S.T.

James A. Scherf
MAYOR

Bill No. G-74-05-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a
portion of Nevada Avenue in the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance also PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols

William T. Hinga

Paul M. Burns

D. Schmidt

DATE 5-28-74 CONCURRED IN
CHARLES W. WESTERMAN CITY CLERK

RECEIPT

No 271

GENERAL FUND

FT. WAYNE, IND.

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

March 29, 1974

James Ackmann

\$ 50⁰⁰

Fifty

00/100

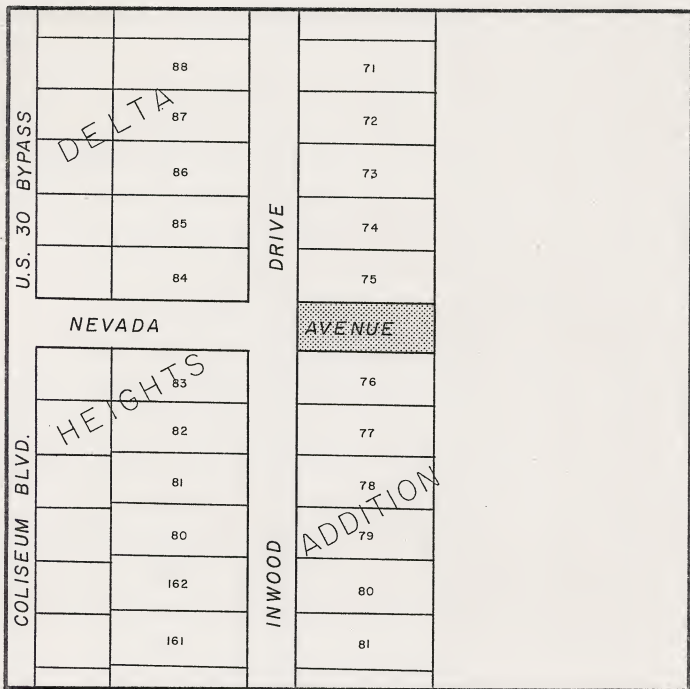
DOLLARS

Vacation of Nevada

East of Inwood

Vilma Freye

AUTHORIZED SIGNATURE



STREET TO BE VACATED





THE CITY OF FORT WAYNE

office of city plan commission

April 17, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

That portion of Nevada Avenue, located between Lots # 75 and # 76
of Delta Heights Addition, running 140 feet east from the
east Right-of-Way of Inwood Drive.

which was approved by the City Plan Commission at its regular meeting
held April 15, 1974.

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
17th day of April, 1974

George H. Roser
Secretary

pr

R E S O L U T I O N

WHEREAS, JAMES AND ELIZABETH ACKMANN, RICHARD W. AND LOIS REDDEMANN, AND JEHL HOMES CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a city street in the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964 Replacement, Section 53-744); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 15, 1974, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

NOW, THEREFORE, BE IT RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana; and,

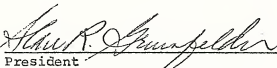
BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED, that the action of the Fort Wayne City Plan Commission be forwarded to the Common Council of the City of Fort Wayne for its action thereon.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Alan R. Grinsfelder, President of
the Fort Wayne City Plan Commission, do hereby certify that attached
hereto is a full, true and correct copy of a Resolution adopted by
the Fort Wayne City Plan Commission following a Public Hearing of
said Commission held on the 15th day of April, 1974,
and as the same appears on record in the official records of the
Plan Commission.

Dated this 15th day of April, 1974.


President
Fort Wayne City Plan Commission

PETITION TO VACATE PORTION OF NEVADA AVENUE

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne to vacate the following described portion of a street within the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

Your petitioners represent that:

1. That they are the owners of all the real estate abutting on both sides of a portion of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That the portion of the street sought to be vacated has never been opened or improved.
4. That said street is not necessary as ingress or egress to any other property whatsoever.
5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that that portion of the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

James Ackmann
James Ackmann
(1636 Inwood Drive)
(Lot # 76 Delta Heights Addition)

Elizabeth Ackmann
Elizabeth Ackmann
(Lot # 76 Delta Heights Addition)

Thomas P. Jehl, Pres.
Jehl Homes Corporation
BY: Thomas P. Jehl, President
(Lot # 75 Delta Heights Addition)

Richard W. Reddemann
Richard W. Reddemann
(Lot # 75 Delta Heights Addition)
(Proposed Buyer)

Lois Reddemann
Lois Reddemann
(Lot # 75 Delta Heights Addition)
(Proposed Buyer)

TITLE OF ORDINANCE Street Vacation Ordinance

2-74-05-15

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Street vacation petition initiated by abutting

property owners to vacate a portion of a street described as follows:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta

Heights Addition, running 140 feet east from the east Right-of-Way of

Inwood Drive.

EFFECT OF PASSAGE Street is presently unimproved and unopened. Street
would be closed and utilized by surrounding property owners.

EFFECT OF NON-PASSAGE Street would remain open.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)

Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

May 30, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 1 and June 8, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana, for the
following ordinances:
Zoning Map Ordinance No. Z-09-74
(Zoning Map No. C-14)
General Ordinance No. G12-74
(Vacation of portion of
Nevada Ave.)
General Ordinance No. G-13-74
(Vacation of Alley)
General Ordinance No. G-14-74
(Regulating unsafe buildings and
premises in Allen County)

Please send us six (6) copies of each paper of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Common Council - City of Ft. Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

97

2

99

COMPUTATION OF CHARGES

99 lines, 2 columns wide equals 99 equivalent lines at 288¢ cents per line

\$ 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 30.51

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Cerken who, being duly sworn, says that she is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for TWO time, the dates of publication being as follows:

June 1 & 8, 1974

Subscribed and sworn to before me this 10th day of June 1974

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-7445-15 G-12-74 General Ordinance, to-wit:

BILL NO. G-7445-15
GENERAL ORDINANCE NO. G-12-74
AN ORDINANCE amending General Ordinance No. G-57 by authorizing the vacation of a portion of Nevada Avenue in the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That portion of a portion of Nevada Avenue having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 ReplACEMENT, Sec. 35-744), the Therapeutic Plan as set forth in General Ordinance No. G-57 adopted by the Common Council of the City of Fort Wayne on November 26, 1973, is amended by deleting the following portion of Nevada Avenue in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots No. 75 and no. 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

SECTION 2. After passage of this Ordinance, approval by Mayor and City Clerk publications, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS

Councilman
Read the third time in full and on motion by Nuckols, seconded by Siler, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Borns, Higo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Siler, Talarico
NAYS: None
Date: 5-28-74

CHARLES W. WESTERMAN
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. G-12-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

CHARLES W. WESTERMAN

City Clerk

SAMUEL J. TALARICO

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN

City Clerk

Approved and signed by me this 28th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-12-74 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of May, 1974.

CHARLES W. WESTERMAN

City Clerk

Common Council - City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

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Total number of lines in notice

97

2

99

COMPUTATION OF CHARGES

99 lines, 1 columns wide equals 99 equivalent lines at 28¢
cents per line

\$28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

2.00

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$30.51

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 10, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

June 1 & 8, 1974

Subscribed and sworn to before me this 10th day of June 1974

My commission expires March 11, 1976

Notary Public

Notice is hereby given that on the 28th day of May, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-74-15 G-174 General Ordinance, to-wit:

BILL NO. G-74-15
GENERAL ORDINANCE NO. G-174
AN ORDINANCE amending General Ordinance No. G-67 by authorizing the vacation of a portion of Nevada Avenue in the City of Fort Wayne,
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Nevada Avenue having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1965 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 5744), the Thoroughfare Plan as set forth in General Ordinance No. G-67 adopted by the Common Council of the City of Fort Wayne on November 26, 1972, is amended by deleting the following portion of Nevada Avenue in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots No. 75 and No. 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereat.

JOHN NUCKOLS

Councilman

Read the third time in full and on motion by Nuckols, seconded by Siler, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinge, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Siler, Talericio

NAYS: None
Date: 5-28-74

CHARLES W. WESTERMAN

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. G-12-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

CHARLES W. WESTERMAN

City Clerk

SAMUEL J. TALERICIO

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN

City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-174 passed by the Common Council on the 28th day of May, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of May, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of May, 1974.

CHARLES W. WESTERMAN

City Clerk